



ENGELHARD CORPORATION
Appearance and Performance Technologies
3400 Bank Street
Louisville, KY 40212
(502-775-7269)

February 11, 2005

Mr. Jonathan Trout
Secretary/Treasurer
LMAPCD
850 Barret Avenue
Louisville, KY 40204-1745

Dear Mr. Trout:

I am writing as the Environmental/Safety Manager of Engelhard's Louisville Pigments Plant to comment on the LMAPCD STAR program. Please note the following comments:

- LMAPCD currently regulates air toxics. The STAR program will add another layer of regulation to sources that create limited, if any, risk to the public or the environment.
- Any new regulations should focus on the limited number of chemicals of known concern with continued monitoring for additional problem chemicals.
- Risk should be evaluated based on exposure of people, not exposure of fences, parking lots, or streets.
- Many layers of safety factors result in calculated risk much greater than actual risk. Risk should be managed at EPA's criteria of 1 in 10,000.
- Hazard Quotient has been arbitrarily set at 0.2 although, according to EPA, no adverse effects are expected as a result of exposure at a HQ of 1. This is unjustified.
- Modeling costs will be incredibly high for individual companies and for industry as a whole and will result in no benefit to public health in most cases.
- The Regulatory Impact Analysis includes only gross approximations of the cost of the program. True costs may be much higher.
- The very complicated nature of STAR will further bog down LMAPCD's ability to issue permits in a timely manner even with staff additions.

- Although the program allows exceptions, they are based on uncertain Board actions. This regulatory atmosphere has forced industries to look elsewhere for expansion opportunities and will eliminate high paying jobs.
- I encourage LMAPCD to adopt the revisions to STAR proposed by Greater Louisville, Inc.

Sincerely yours,

James C. Wade
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